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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRICKLAYERS AND ALLIED CRAFTWORKERS	)	CASE NO.: CV 09-1589
LOCAL UNION NO. 3, AFL-CIO;	)	
TRUSTEES OF THE NORTHERN CALIFORNIA	)	REQUEST TO CONTINUE
TILE INDUSTRY PENSION TRUST; TRUSTEES	)	CASE MANAGEMENT
OF THE NORTHERN CALIFORNIA TILE	)	CONFERENCE AND
INDUSTRY HEALTH AND WELFARE TRUST FUND;	)	ORDER
TRUSTEES OF THE NORTHERN CALIFORNIA	)	
TILE INDUSTRY APPRENTICESHIP AND	)	
TRAINING TRUST FUND; TILE INDUSTRY	)	Date: September 29, 2009
PROMOTION FUND OF NORTHERN CALIFORNIA,	)	Time: 2:00 p.m.
INC., a not-for-profit California	)	Dept: Courtroom 2
corporation; TILE EMPLOYERS CONTRACT	)	4 <sup>th</sup> Floor
ADMINISTRATION FUND; TRUSTEES OF THE	)	U.S. District
INTERNATIONAL UNION OF BRICKLAYERS AND	)	Court
ALLIED CRAFTWORKERS PENSION FUND,	)	1301 Clay St.
	)	Oakland, CA
Plaintiffs,	)	Judge: The Honorable
	)	Claudia Wilken

vs.

JOHN LONEY PALOMINO, as an individual  
 and doing business as "L R F Resinous  
 Flooring"; AMERICAN CONTRACTORS  
 INDEMNITY COMPANY, a California  
 corporation; SURETY COMPANY OF THE  
 PACIFIC, a California corporation,

Defendants.

The parties hereby respectfully request that this Court  
 continue the case management conference in this matter, currently  
 scheduled for September 29, 2009 at 2:00 p.m., for a period of at  
 least 60 days until November 24, 2009 or on any date thereafter

1 convenient to the Court.

2 The parties make this request because an automatic stay of  
3 this case is now effect due to the bankruptcy filing by defendant  
4 JOHN LONEY PALOMINO. See "Notice of Bankruptcy Filing By  
5 Defendant John Loney Palomino; Automatic Stay" filed with this  
6 Court on May 22, 2009, e-filing Document No. 7.

7 In addition, plaintiffs have now settled their claims  
8 against defendants AMERICAN CONTRACTORS INDEMNITY COMPANY and  
9 SURETY COMPANY OF THE PACIFIC. Plaintiffs received payment from  
10 defendants last week and expect to be able to dismiss the claims  
11 against AMERICAN CONTRACTORS INDEMNITY COMPANY and SURETY COMPANY  
12 OF THE PACIFIC within the next 30 days once confirmation is  
13 received that the check has cleared the bank.

14 In order to not waste the Court's time and resources, the  
15 parties respectfully request that the case management conference  
16 be continued until November 24, 2009 or any date thereafter  
17 convenient to the Court.

18  
19 /S/Kimberly A. Hancock  
Kimberly A. Hancock, Esq.  
20 Katzenbach and Khtikian  
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21 San Francisco, California 94133-2930  
(415) 834-1778; FAX (415) 834-1842  
22 Attorneys for PLAINTIFFS

Date: September 22, 2009

23  
24 /S/ Robert Stroj  
Robert Stroj, Esq.  
Lanak & Hanna, P.C.  
25 400 North Tustin Avenue, Suite 120  
Santa Ana, CA 92705-3815  
26 (714) 550-0418; FAX (714) 550-7603  
Attorneys for Defendant AMERICAN  
27 CONTRACTORS INDEMNITY COMPANY, a  
California corporation and as successor  
28 by merger for SURETY COMPANY OF THE  
PACIFIC

Date: September 22, 2009

ORDER

Good cause appearing, it is hereby ORDERED that the Case Management Conference currently set for August 4, 2009 at 2:00 PM is continued to November 24, 2009, at 2:00 PM in Courtroom 2, 4<sup>th</sup> Floor.

Date: September 28, 2009

A handwritten signature in black ink that reads "Claudia Wilken". The signature is written in a cursive, flowing style.

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The Honorable Claudia Wilken  
UNITED STATES DISTRICT COURT JUDGE